

PROB 12C  
(7/03)

Report Date: March 24, 2010

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

## United States District Court

for the

MAR 24 2010

Eastern District of Washington

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Reymundo Garcia

Case Number: 2:03CR00008-001 &  
2:03CR00063-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 6/3/2003

Original Offense: Possession with Intent to Distribute 50 Grams or More of a Mixture or Substance Containing Methamphetamine, 21 U.S.C. § 841(a)(1); Possession with Intent to Distribute 50 Grams or More of a Mixture or Substance Containing Methamphetamine, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 63 Months; TSR - 48 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Stephanie A. Van Marter Date Supervision Commenced: 7/17/2007

Defense Attorney: Dan B. Johnson Date Supervision Expires: 7/16/2011

**PETITIONING THE COURT**

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 12/18/2009, 1/7/2010 and 1/7/2010. It would be respectfully recommended a warrant be issued for the defendant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

**Violation Number**    **Nature of Noncompliance**

6        **Mandatory Condition #3:** The defendant shall not illegally possess a controlled substance.

**Supporting Evidence:** Reymundo Garcia is considered in violation of his period of supervised release in the Eastern District of Washington by possessing marijuana and cocaine on or prior to March 23, 2010.

7        **Mandatory Condition # 5:** The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

**Supporting Evidence:** Reymundo Garcia is considered in violation of his period of supervised release in the Eastern District of Washington by possessing firearms and ammunition on or prior to March 23, 2010.

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On March 23, 2010, a planned search was conducted at the residence of the defendant by U.S. Probation with the assistance of other Federal and local law enforcement. After contacting the defendant, his parents, and several other individuals, the search was commenced. While clearing the residence, multiple firearms were located in closets and in the kitchen. Located next to the firearms were multiple boxes of ammunition. Twelve firearms and multiple boxes of ammunition were seized by U.S. Probation and are currently secured in evidence.

The search of a shed, which the defendant was using for the storage of tools and lawn equipment, resulted in the location of several bags of marijuana and cocaine. These items field tested presumptive positive. Also located in the shed was a small green cannister used for grinding up marijuana with marijuana residue and three glass pipes with residue.

The search of a camp trailer resulted in the location of one glass bong with residue and a small amount of marijuana wrapped in smoking paper which had not been smoked.

All of the marijuana, cocaine, and drug paraphernalia was turned over to the Grant County Sheriff's Department for charging. The defendant was taken to the Grant County Jail and charged with possession of controlled substances and drug paraphernalia.

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**Special Condition # 16:** You shall abstain from the use of illegal controlled substances and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Reymundo Garcia is considered in violation of his period of supervised release in the Eastern District of Washington by using controlled substances, methamphetamine and marijuana on or prior to March 10, 2010.

On March 10, 2010, the defendant reported for a random urinalysis testing at ADDS in Moses Lake. The test returned presumptive positive for the presence of methamphetamine and marijuana. The sample was forwarded to Kroll Laboratory Specialists, Inc. where it was confirmed positive for methamphetamine and marijuana.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/24/2010

s/David L. McCary

David L. McCary  
U.S. Probation Officer

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**THE COURT ORDERS**

- No Action**
- The Issuance of a Warrant**
- The Issuance of a Summons**
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.**
- Other**



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Signature of Judicial Officer

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3/24/2010

Date